

United States District Court

SOUTHERN

DISTRICT OF
MCALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Hunter Chazz Montalvo

Principal

United States

YOB: 2001

United States District Court
Southern District of Texas Case Number:

FILED M-20-2163-M

Jose Angel Garza

Co-Principal

United States

YOB: 1984

JAN 30 2020

David J. Bradley, Clerk

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about January 28, 2020 in Starr County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Walter Adelso Flores-Hernandez, citizen of El Salvador, and K.C. Ganesh, citizen of Nepal, along with three (3) other undocumented aliens, for a total of five (5), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempted to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation, to-wit: a residence located in Rio Grande City, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

On December 19, 2019, Border Patrol Agents received information of a possible house used to harbor undocumented aliens located at 207 Cenizo Street in Rio Grande City, Texas.

On January 28, 2020, agents were conducting surveillance at the suspected stash house and observed a Nissan Sentra, driven by a male subject, arrive at the property. A short time later, agents observed two male subjects depart in the Nissan Sentra. Troopers conducted a traffic stop on the Nissan after observing the driver disregarding a stop sign.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Approved by AUSA Amy L. Greenbaum
1/30/2020 Amy Greenbaum

Julio C. Peña
Signature of Complainant

Julio C. Peña Border Patrol Agent
Printed Name of Complainant

Sworn to before me and subscribed in my presence,

January 30, 2020
Date

at McAllen, Texas
City and State

J. Scott Hacker, U. S. Magistrate Judge
Name and Title of Judicial Officer

[Signature]
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-20- 243 -M

**RE: Hunter Chazz Montalvo
Jose Angel Garza**

CONTINUATION:

At the traffic stop, DPS Troopers identified the driver as Hunter Chazz Montalvo and the passenger as Jose Angel Garza. The driver was issued a warning and both subjects were released.

Agents continued surveilling the suspected stash house when they observed Montalvo and Garza arrive and enter the house in a hurried manner. Shortly thereafter, the Nissan departed the property and agents proceeded to follow it. As they followed the vehicle, Agents observed a passenger in the rear seat of the Nissan Sentra who appeared to be ducking down in a manner consistent with someone attempting to conceal themselves from view. At this time, Rio Grande City Police Department Officers were contacted to assist with the investigation.

Rio Grande City Police Officers followed the Nissan along with additional unmarked police units. Officers observed the Nissan park in a parking lot. Officers approached the driver, later identified as Montalvo, and inquired as to the subjects attempting to hide in the back seat. Officers asked the passengers for identification however they did not respond and failed to provide any. Agents arrived and conducted an immigration inspection on the passengers. Agents identified K.C. Ganesh and the two (2) additional passengers as being illegally present in the United States. At this time, Montalvo was placed under arrest and informed of his Miranda Rights, at which time Montalvo agreed to answer questions. Montalvo admitted to agents that he picked up the three (3) illegal aliens from the residence and was going to transport them to McAllen, Texas.

Agents along with Rio Grande City Police Officers proceeded to the suspected stash house and encountered Garza at the property. Garza provided agents with verbal and written consent to search the residence. Once inside, agents discovered two (2) additional subjects in the home. An immigration inspection was conducted on Walter Flores-Hernandez and the additional subject and both were determined to be illegally present in the United States.

All subjects were transported to the Rio Grande City Border Patrol Station to be processed accordingly.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-20- 2 63 -M

**RE: Hunter Chazz Montalvo
Jose Angel Garza**

CONTINUATION:

PRINCIPAL STATEMENT:

Hunter Chazz Montalvo was read his Miranda Rights. He understood and agreed to provide a sworn statement.

Montalvo stated he knew the passengers in his vehicle were illegal aliens. Montalvo claimed he was going to receive money to pick up the three (3) aliens from the house in 207 Cenizo Street and transport them to McAllen, Texas.

Montalvo identified Garza, through a photo lineup, as the person who houses the aliens.

CO-PRINCIPAL STATEMENT:

Jose Angel Garza was read his Miranda Rights. He understood and agreed to provide a sworn statement.

Garza stated he has been harboring illegal aliens at his residence for the past four (4) months and receives \$30 per alien. Garza claimed he was harboring five (5) aliens today but a male subject picked up three (3) aliens before law enforcement arrived at his house. Garza stated he received approximately four (4) to five (5) aliens per week.

Garza identified Montalvo, through a photo lineup, as the male subject who picked up the three (3) aliens from his residence.

MATERIAL WITNESSES STATEMENTS:

Walter Adolfo Flores-Hernandez and K.C. Ganesh were read their Miranda Rights. They understood their rights and agreed to provide a sworn statement without the presence of an attorney.

Flores, a citizen of El Salvador, stated he made his own smuggling arrangements and was going to pay \$5,000. After crossing the river, Flores stated he walked for about two hours until he arrived to a gas station. Flores stated that he was picked up by a truck and taken to the residence where he was later arrested. At the house, Flores claimed he observed a male subject speak to the subjects from Nepal. Flores stated he also observed another male subject smoking outside the home.

Flores identified Montalvo, through a photo lineup, as the male that made contact with the subjects from Nepal.

Flores identified Garza, through a photo lineup, as the male subject who was smoking outside the house.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-20- 2163 -M

**RE: Hunter Chazz Montalvo
Jose Angel Garza**

CONTINUATION:

Ganesh, a citizen of Nepal, stated he paid \$15,000 for his smuggling arrangements. Ganesh stated he crossed the river along with five other people and was picked up in a vehicle driven by a male subject. Ganesh claimed they were transported to a house where another male subject was already there waiting for them. Ganesh claimed the same male subject that dropped them off, was the same subject who picked them up another day.

Ganesh identified Montalvo, through a photo lineup, as the male driver.

Ganesh identified Garza, through a photo lineup, as the male subject who was at the house.